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LETTER DATED 22 JANUARY 1997 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have been instructed by my Government to write to you in connection with the situation in the region of Eastern Slavonia, Baranja and Western Sirmium, the administration of which is the responsibility of the Security Council.

Following the positions of the Government of the Republic of Croatia presented in the letter dated 13 January 1997 from the Permanent Representative of Croatia to the United Nations addressed to the President of the Security Council (S/1997/27), my Government deems it necessary to draw your attention to the positions of the local Serb authorities on this matter contained in their letter dated 16 January 1997 which has been forwarded to the Security Council through the Transitional Administration (see annex).

I should be grateful if you would circulate the text of the present letter and its annex as a document of the Security Council.

(Signed) Vladislav JOVANOVIĆ
Chargé d'affaires a.i.

Annex

Letter dated 16 January 1997, at Vukovar, from the Assembly and the Executive Council of the Region of Eastern Slavonia, Baranja and Western Sirmium, the United Nations Protected Area

I

Recognizing the catastrophic consequences of the civil war in Croatia, resolved to put an end to this situation and influence the remedying of the consequences and the building of new democratic and humane relations, the international community has prevailed upon the two warring parties to sign the Basic (Erdut) Agreement. This act put a stop to the civil war.

II

Our region, as part of the territory of the Republic of Croatia, has been put under the jurisdiction of an International Administrator, with clear indications that, following a significant and recognizable tranquillization in mutual relations of the two sides, a reintegrative-integrative process will take place.

III

While not resisting the positions of the international community vis-à-vis the existence and functioning of Croatia as a sovereign State, we could not, nor must we, forget the manner of its creation, both because of the obligation of achieving the highest level of security for the members of our community and because of our genuine contribution to the further development of the Croatian State. To this end, we have continually pointed out our positions, pleading with the international community and the Croatian side to recognize in them only the necessary reality and the only way of overcoming the created animosities, sufferings and frustrations. Of late we have had various draft documents presented which by their content and essence are along the lines that are below the meaning of the provisions of the Erdut Agreement. Each of them contains diminished rights and guarantees to a future normal and prosperous life. It is incomprehensible that the need for a full demilitarization of the area in which until recently warring people had to live together has been pointed out and proved for so long and to so little avail. The Serbs have surrendered their arms, but Croatia has not desisted from its intention of replacing the military component of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) with its regular army.

Furthermore, the problems of refugees and displaced persons pointed out in the Erdut Agreement, equally difficult irrespective of national affiliation, and as such emphasized in the relevant United Nations resolution, have been completely pushed aside in the recently presented draft documents which aspire to acquire validity by being confirmed in the United Nations Security Council.

Already these two elements are accentuating the feelings of insecurity and fear among the members of our community in a manner and to the extent that could lead to a new exodus early this spring.

We must point out that our desire to become fully reintegrated into the Croatian State as a unique area in the form of one zupanija is also being fully disregarded even though it does not question in any way whatsoever the territorial integrity and sovereignty of Croatia. In it we have recognized the clear desire of Croatia to prevent in future all initiatives, even at the level of local self-government and administration, motivated by majoritarianism.

IV

We, the representatives of the Serbian community, believing in the objectivity of international institutions and the desire of the Croatian authorities to develop democratic and humane relations in this region, aware of the decisive moment at which we find ourselves and of the grave consequences for all, call upon the Security Council to assess in detail and comprehensively the results to date of the work and contribution to the realization of the peace process of all participants and to define resolutely and definitively the positions of all, including prescribing measures for the achievement of the desired goal which, as we understand it, is a peaceful and secure life for all through humane and equitable relations without any elements of existing or potential discrimination achieved primarily through war and aggression.

V

The Serbian side believes that it is possible to achieve a comprehensive solution in the following way:

1. By fully and lastingly demilitarizing the present UNTAES area with respect both to arms and to armed persons;

2. By placing a moratorium on the obligation of the members of the Serbian ethnic community to serve in the military for a period of at least 15 years, accepting the principle of possible voluntary service;

3. By equating the rights of refugees and displaced persons in the sense that members of any ethnic community cannot be evicted from temporary accommodation facilities in which they currently reside until they are ensured return to renovated facilities abandoned for whatever reason at the time of war activities or are given fair compensation for destroyed or damaged property or are provided appropriate accommodation in the place of their present residence;

4. By enabling the Serbian ethnic community living in the region under the present United Nations Transitional Administration to set up and administer a unique zupanija within the sovereign Croatian State as a form of local self-government or administration or as any other form of organization of that level and meaning in future;

5. By having the international community confirm the validity and objectivity of the positions of the Serbian ethnic community by taking a clear position in a United Nations resolution of lasting duration.

VI

We, the representatives of the Serbian ethnic community, are convinced that in the sense of the aforementioned we have not even hypothesized a possibility of diminishing or limiting the relevant civil rights of the present and future inhabitants of the region under the Transitional Administration in the Republic of Croatia.

President of the Executive Council	President of the Regional Assembly
(Signed) Vojislav Stanimirović	(Signed) Borivoje Zivanović